



05909 U.S. PTO

PATENT

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as attached or enclosed are being deposited with the United States Postal Service on the date set forth below in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, with the below indicated mailing label number, addressed to the Commissioner for Patents and Trademarks, Alexandria, VA 22313-1450.

Date: February 5, 2004  
Mailing Label Number: ER 293530437 US

Mark D. Saralino  
Mark D. Saralino

16834 U.S. PTO  
10/772807

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. YAMAP0388USI

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL OF FILING UNDER 37 CFR 1.53(b)

This is a request for filing a ☒ Continuation ☐ Divisional application under 37 CFR 1.53(b), of pending prior application:

Serial No.: 10/267,601 Filed: October 9, 2002

Applicants: Mitsuru Moriya, Shin-ichi Tanaka, Yasuhiro Sugihara,  
(list all) Hiroshi Taniguchi & Michiyoshi Nagashima

Title: OPTICAL RECORDING MEDIUM HAVING DUAL  
INFORMATION SURFACES

**For Continuation or Divisional Apps only:** The entire disclosure of the prior application, from which an oath or declaration is supplied, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1. Enclosed is a copy of the latest inventor-signed prior application, including the oath or declaration showing the original signature, as originally filed.

I hereby verify that the attached papers are a true copy of what is shown in my records to be the latest inventor-signed prior application and that no amendments (if any) referred to in the oath or declaration filed to complete the prior application introduced new matter therein.

2. Amendments

☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim is retained for filing purposes.)

☐ A preliminary amendment is enclosed.

3. The prior application is assigned of record to Matsushita Electric Industrial Co., Ltd.  
Reel 7829 Frame 0243

4. A verified statement that this filing is by small entity:

☐ is enclosed.

☐ has been filed in the parent application (or an earlier application in a chain of copending applications under 35 USC 120) and such status is still proper and desired.

5. The filing fee is calculated below.

	Number Filed		Number extra	Rate	Fee
Total claims	6	-20	0	x \$18	0
Independent claims	2	-3	0	x \$86	0
Multiple dependent claims (if any)				\$290	
Basic Fee				\$770	\$770
Total Filing Fee (large entity)					
Total Filing Fee (50% reduction for small entity, if applicable)					

6. Payment

☒ A check in the amount of \$770.00 is enclosed.

☐ The Commissioner is hereby authorized to charge the filing fee in the amount of                      to Deposit Account No. 18-0988.

7. The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this communication, or credit any overpayment to Deposit Account No. 18-0988.

8. Amend the specification by inserting before the first line the sentence:

--This is a ☐ continuation ☐ division of copending application Serial No.                     , filed                      .--

9. Priority of the following foreign application(s) is claimed under 35 USC §119:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Country</u>
6-327961	12/28/1994	Japan
7-313377	11/30/1995	Japan

A certified copy of each above identified foreign application(s) has been filed in prior U.S. Application Serial No. 08/577,253.

10. Inventorship:

- ☐ The inventorship shown in the signed original oath or declaration has been changed and approved during prosecution of the prior application (or an earlier application in a chain of copending applications under 35 USC 120) and a copy of the petition for correction of inventorship under 37 CFR 1.48 is enclosed.
- ☐ The prior application was filed by other than the inventor and a copy of all the petition papers filed under 37 CFR 1.47 is enclosed.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person(s) who is/are not inventor(s) of the invention being claimed in this application:  
  
\_\_\_\_\_

11. The power of attorney in the prior application is to (Attorney, Reg. No.):

Armand P. Boisselle Reg. No. 22,381

- ☒ The power appears in the original papers in the prior application.
- ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.


12. Address all future communications to:

Mark D. Saralino  
RENNER, OTTO, BOISSELLE & SKLAR, LLP  
1621 Euclid Avenue, Nineteenth Floor  
Cleveland, Ohio 44115-2191

13. Other: ☒ An Information Disclosure Statement is enclosed.  
☐ New formal drawings are enclosed.

Respectfully submitted,

Date: February 5, 2004

  
\_\_\_\_\_  
Mark D. Saralino  
Reg. No. 34,243

RENNER, OTTO, BOISSELLE & SKLAR, LLP  
1621 Euclid Avenue, Nineteenth Floor  
Cleveland, Ohio 44115-2191  
Tel: 216/621-1113  
Fax: 216/621-6165

- ☐ Attorney or agent of record
- ☐ Filed under §1.34(a)